



**Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Mining Section**

**3711 Middlebrook Pike
Knoxville, Tennessee 37921-6538
PHONE (865) 594-6035 FAX (865) 594-5253**

Public Participation Opportunities

November 7, 2007

Public Notice M2007-15

Last Day to Submit Comments: December 12, 2007

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

Individual NPDES Permits

Coal Proposed Issuance

Applicant	Triple H Coal, LLC
Facility	Surface Mine 2
NPDES Permit Number	TN0079898
County	Campbell
Street Address	Peabody Mountain
City	LaFollette
Zip	37766
Description of Activity	Surface coal mine
Receiving Streams	Wet weather conveyances to Rock Creek
Effluent Description	Treated mine wastewater and storm water
Facility Latitude	36°26'22"
Facility Longitude	84°06'09"
Permit Writer	MRR

Non-Coal Proposed Issuances

Applicant	Memphis Stone and Gravel Company
Facility	Atoka Aggregate Facility
NPDES Permit Number	TN0079821
County	Tipton
Street Address	560 Bethel Road
City	Atoka
Zip	38004
Description of Activity	Sand and gravel mining and processing
Receiving Streams	Bull Branch and Big Branch
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°23'52.39"
Facility Longitude	89°47'34.65"
Permit Writer	KBG

Applicant	Silvara Stone Company, LLC
Facility	Quarry No. 3
NPDES Permit Number	TN0079707
County	Cumberland
Street Address	Chestnut Hill Road
City	Crab Orchard
Zip	37723
Description of Activity	Dimension stone mining
Receiving Streams	Pinethicket Branch, Unnamed tributary to Pinethicket Branch
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°56'08"
Facility Longitude	84°53'13"
Permit Writer	SJT

Non-Coal Proposed Modification/Reissuances

Applicant	General Shale Brick, Inc.
Facility	Mine No. 18- Bowery
NPDES Permit Number	TN0066401
County	Carter
Street Address	Woodlyn Road
City	Johnson City
Zip	37601
Description of Activity	Shale mining
Receiving Stream	Unnamed tributary to Watauga River
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°21'42"
Facility Longitude	82°18'03"
Permit Writer	SJT

Applicant	H.C. Spinks Clay Company, Inc.
Facility	Mine 33- Hilliard
NPDES Permit Number	TN0079740
County	Henry
Street Address	Willoughby Road
City	Paris
Zip	38242
Description of Activity	Ball clay mining
Receiving Streams	Unnamed tributaries to Hill and Trainer Creeks
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°14'18"
Facility Longitude	88°22'22"
Permit Writer	SJT

Coal Proposed Termination

Applicant	LCC Tennessee, LLC
Facility	Whitehead Mountain Deep Mine 1
NPDES Permit Number	TN0049778
County	Scott
Street Address	Whitehead Mountain
City	Robbins
Zip	37852
Description of Activity	Reclaimed underground coal mine
Receiving Stream	Shack Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°13'38"
Facility Longitude	84°27'19"
Permit Writer	JPJ

TDEC is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at Gary.Mullins@state.tn.us. Comments must be received by the end of comment period date (see page 1).

How to Request a Public Hearing:

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

How the Department Will Proceed:

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

To Obtain Permit Details:

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email Becky.Hawkins@state.tn.us or call (865) 594- 6200 or email Kimberley.Reardon@state.tn.us or call (865) 594-5619 to schedule an appointment for the review(s).

List of Permit Writers

KBG	Kristen Gettelfinger	865-594-5545	Kristen.Gettelfinger@state.tn.us
JPJ	Jesse Jones	865-594-5543	Jesse.P.Jones@state.tn.us
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JCP	John Price	865-594-5585	John.Price@state.tn.us
MRR	Micheal Robbins	865-594-5542	Micheal.Robbins@state.tn.us
SJT	Steven Turaski	865-594-5584	Steven.Turaski@state.tn.us
DAT	Dave Turner	865-594-5541	Dave.Turner@state.tn.us

State of Tennessee Antidegradation Policy

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Other Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

State of Tennessee Policy of Non-Discrimination

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).